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3
UNITED STATES DISTRICT COURT
4
DISTRICT OF NEVADA
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6 _____)
7 GOLDEN PHOENIX MINERALS, INC.,)
8 Petitioner,)
9 vs.)
10 PINNACLE MINERALS, INC.,)
11 Respondent.)
12 _____)

3:15-cv-00521-RCJ-WGC

ORDER

13 In 2013, Respondent Pinnacle Minerals, Inc. sued Petitioner Golden Phoenix Minerals,
14 Inc. in this District on two promissory notes. That case, No. 2:13-cv-915, was assigned to the
15 Hon. Miranda Du. Before any answer or motion for summary judgment was filed, Respondent
16 voluntarily dismissed as of right because the parties had agreed to arbitrate the claims. The Hon.
17 Jerry Carr Whitehead (Ret.) is presiding over the ongoing arbitration. Petitioner filed a
18 counterclaim for breach of contract. The arbitrator ruled in favor of Petitioner, awarding it
19 \$573,469. Petitioner filed the present action for confirmation of the arbitration award in state
20 court. Respondent removed and filed motions to vacate the award and to stay the case until the
21 arbitrator rules on a pending motion to reconsider. Petitioner has filed a notice of non-opposition
22 as to the motion to stay.

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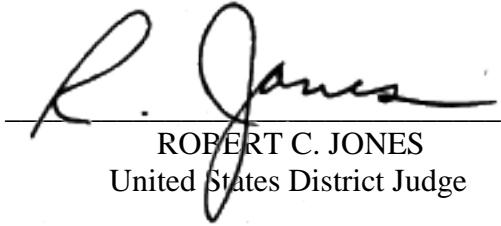
1 **CONCLUSION**

2 IT IS HEREBY ORDERED that the Motion to Stay (ECF No. 13) is GRANTED, and the
3 case is STAYED.

4 IT IS FURTHER ORDERED that the Motion to Vacate Arbitration Award (ECF No. 12)
5 is DENIED without prejudice.

6 IT IS SO ORDERED.

7 DATED: This 4th day of December, 2015.

8 
9 ROBERT C. JONES
10 United States District Judge